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IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

WRIT PETITION NO.3969 OF 2003

PETITIONER

P. R. No. 3756/03
Presented by Shri Mks. Rupal Singh
dated 29.11.03

Smt. Champa Bai Agrawal,
W/o. Late Jogi Ram Agrawal,
Aged about 65 years,
R/o. Badi Bazarpara,
Ratanpur, Tahsil Kota,
District Bilaspur (C.G.)

V E R S U S

RESPONDENTS

1. State of Chhattisgarh,
Through Secretary,
Department of Revenue,
Mantralaya, D.K.S. Bhawan,
Raipur (C.G.)

2. Collector (Land Acquisition) &
Ex-Officio Dy. Secretary
(Revenue),
Bilaspur (C.G.)

3. Sub-Divisional Officer (Revenue)
& Land Acquisition Officer,
Kota,
District Bilaspur (C.G.)

4. Nagar Panchayat,
Ratanpur,
District Bilaspur (C.G.)
Through its Chief Municipal
Officer

RECEIVED-COPY
29-11-03
Clerk to A. G. Bilaspur

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN NATURE OF CERTIORARI, MANDAMUS, PROHIBITION AND OTHER SUITABLE WRIT OR WRITS, DIRECTION OR DIRECTIONS, ORDER OR ORDERS:

XI-HC-22

XI-1

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 3959/04 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	8-10-2004 Shri Manindra Shrivastava, counsel for the petitioner. Shri Sanjay S. Agrawal, Govt. Advocate for respondents 1 to 3. Shri Ranbir Singh, counsel for respondent No.4. An application I.A. No.7280/2004 has been preferred on behalf of respondents 1 to 3 in which it has been mentioned that notification/declaration under Section 6 of the Land Acquisition Act has been made without considering the objections filed under Section 5-A of the Land Acquisition Act, 1894. I have heard learned counsel for the parties. Learned counsel for respondents 1 to 3 submits that it is true that notification/declaration (Annexure-P/8) has been made under Section 6 of the Land Acquisition Act in respect of the petitioner's land without following the provisions of Section 5-A of the Land Acquisition Act, therefore, they are ready to pass appropriate order after following the provisions of Section 5-A of the Land Acquisition Act. In view of the submission made by learned counsel for respondents 1 to 3, the petition of the petitioner is allowed and order (Annexure-P/8) notification/declaration made under Section 6 of the Land Acquisition Act is quashed to the extent of the petitioner's land.	

XI-HC-22

XI-I

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(93)

आदेश पत्रक

मामला क्रमांक W.P. 3969 सन् 2003

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	The respondents are directed that in case still they want to make declaration under Section 6 of the Land Acquisition Act, then in the first instance, they should decide the objections raised by the petitioner as per the provisions of Section 5-A of the Land Acquisition Act. In view of this order, M.(W.)P.Nos.3560/2003, 718/2004, I.A. Nos.4328/2004, and 7281/2004 stand disposed of. Parties are entitled for certified copy of this order. Sd/- L.C.BHADOO Judge	